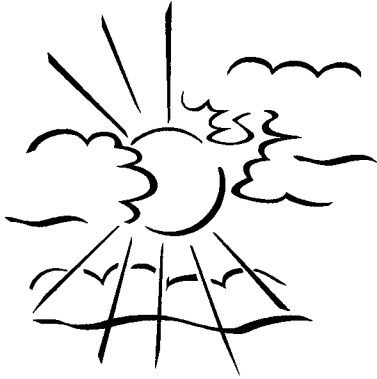


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Thursday, May 4, 2006

(Be sure to maximize your screen to read your clips)

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DESIREE COOPER: Hope is deciding factor in killer's turnaround

May 4, 2006

BY DESIREE COOPER
FREE PRESS COLUMNIST

On Tuesday in a bleak Oakland County courtroom, Chief Assistant Prosecutor Deborah Carley kept asking incredulously: Can a person transform in just six weeks?

She was aghast that Probate Judge Eugene A. Moore was moving 20-year-old Nathaniel Abraham from medium security at the W.J. Maxey Training School in Green Oak Township to a less-secure rural facility.

The move was based upon Abraham's marked improvement since his last evaluation six weeks ago. He has been at Maxey since he was convicted of second-degree murder in the death of Ronnie Lee Greene Jr. in 1999. When the murder happened outside a Pontiac party store in 1997, Abraham was only 11.

Growing up under scrutiny

He's had to grow up in the public eye, and it hasn't always been pretty. For years, he refused to admit to his crime, and showed little compassion for the victim's family.

Yet, there has been change, and it hasn't just been in the past six weeks. I have seen him go from a mumbling, inarticulate kid to a confident young man. I was in court when he turned to the victim's sister, Nichole Edwards, and apologized to her directly for the horror of his crime. I have read his poetry where he has expressed remorse and deep reflection. I have seen him perform in a play at the training center, where he has exhibited positive leadership among his peers.

These accomplishments have escaped the prosecutor, who focuses doggedly upon his shortcomings -- including skirmishes on the basketball court and run-ins with authority figures. I'm glad that my 18-year-old didn't have to grow up with each of his teenage moods and missteps coming under the same kind of scrutiny.

Time to be tested

But then, my kid isn't a convicted killer.

To be sure, our hackles should go up every time Abraham chooses aggression over reason, anger over compassion, blame over responsibility. Whether we like it or not, he will walk free in January. We all hope that by then, he will have learned something from his time behind bars besides angry resentment.

Still, I wonder how the prosecutor expects to gauge how far Abraham has come if he's never able to test his own progress?

"It's very possible that Nate is a sociopath," said Patricia Moylan, a pediatric neuropsychologist at Children's Hospital of Michigan, Detroit. "His recent change of behavior may mean that he is insightful enough to know he's got to pull this off for his own purposes."

On the other hand, she suggests that Abraham's ups and downs may have more to do with the difficulty of growing up both as a celebrity and a target behind bars. "It could be that he's gradually learned how to cope," she said.

What's changed in the past six weeks? For one, Abraham finally has been allowed to hold down a janitorial job at Maxey. He's been speaking to troubled teens at other facilities about the mistakes he's made. He's exploring college.

What's changed in the past six weeks? It's simple. Abraham now has something he hasn't had in a long time: hope.

Contact **DESIREE COOPER** at 313-222-6625 or dcooper@freepress.com.

Thursday, May 04, 2006

Laura Berman

So much depends on Abraham's success or failure

We've watched him grow up, like a criminal version of the Olsen twins or Chelsea Clinton.

At 20, his notoriety is a local match for their celebrity. In March, he was a luncheon speaker at Holy Cross Detention Center in Detroit -- the object of attention and interest, because he's the state's most famous juvenile offender.

When I visited that center six years ago, newspaper clippings about Nathaniel Abraham adorned the bulletin boards. Interest in him was keen, the staff told me, because the young people believed if he could succeed, so could they.

Now he is a public speaker, talking for 30 minutes about his experiences, and engaging with the outside world.

He is one of a kind

Has he -- has the state -- succeeded? In nine months, no matter what, Nathaniel Abraham will be 21 years old and a free man.

He is, as Deputy Prosecutor Deborah Carley took pains to point out Tuesday, the state's only "20-year-old convicted second-degree murderer" who had been in state custody for nine years.

He is one of a kind, and so much still depends on his success or failure.

Ever since he was a small boy with darting, frightened eyes, he's worn leg chains in Judge Eugene Moore' Oakland County courtroom. If child-raising takes a village, his has consisted of social workers, psychotherapists, lawyers assigned to his case, most for a year or two.

It is not a childhood anyone would want. Yet Abraham gets so much more than his fellow Maxey residents -- a team of seven at his courtroom appearance, a mentor he says "genuinely cares" about him, a volunteer family to visit.

Taking baby steps

To Prosecutor Carley, Abraham is still a murderer whose release poses huge risks to society. To the W.J. Maxey Training Center staff, he's showing less aggression and taking more responsibility: "He's earned this move," Harry Adams, a Maxey social worker, said of a plan to move him to a more open situation.

At Tuesday's hearing, Adams described Abraham's progress in words that might equally describe a young child's first forays into the world.

He went to a luncheon. He talked to people. "His behavior was very positive, very appropriate," Adams said, who also said that over the past several weeks, Abraham has "shown more concern about how he interacts with other people."

The staff sounded confident for him, determined to move him forward.

At 20, after almost a decade in lock-up, Nathaniel Abraham is taking his first baby steps into the world.

In court, he sounded clear and calm and, even, grateful for the concern of a mentor who, he said, "genuinely cares about me and wants me to make it."

For now, he has guards and keepers beside him, and chains that bind his legs. As he talks about the need for him "to get accustomed to everyday life," you know that the prospect of a life outside is frightening to him-- and to us.

You can reach Laura Berman at (248) 647-7221 or lberman@detnews.com.

Published May 4, 2006

[From the Lansing State Journal]

Young killer to leave boys training school for juvenile facility

Nathaniel Abraham still scheduled to be released in 2007

Associated Press

PONTIAC - A judge has ordered Nathaniel Abraham, who murdered a man with a sniper shot at 11, to enter a lower-security juvenile lockup.

Abraham, 20, has been in juvenile detention since the 1997 shooting death of 18-year-old Ronnie Lee Greene in Pontiac. He was convicted of second-degree murder as an adult but sentenced as a juvenile. Abraham is scheduled for release in January 2007, when he turns 21.

"His socialization skills have improved with his movement into the community and made him less anxious about going into the outside world," Harry Adams,

Abraham's social worker at the W.J. Maxey Boys Training School, told Oakland County Probate Judge Eugene Moore at a hearing Tuesday.

Moore then ordered Abraham released from Maxey and sent to a medium-security juvenile camp. The Detroit News identified it as the Nokomis Challenge Center in Prudenville.

Defense lawyer Daniel Bagdade said Abraham "has finally earned his way out of Maxey. It really is a kind of watershed moment in this case from Nate's point of view.

Pastor facing more sex-crime charges

Thursday, May 4, 2006

By Rex Hall Jr.

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A former Sturgis minister already charged with molesting a 13-year-old girl is facing new charges that he had sex with another teen in 2002 and 2003, authorities said.

Steven Lynn Ruger, who has a contract to become the pastor of a church in Portage, was arrested Tuesday night at his Vicksburg home and charged Wednesday with two counts of first-degree criminal sexual conduct. He was to be arraigned today in St. Joseph County District Court, authorities said.

Ruger, 42, was arrested hours after paying bond to leave jail, where he had been held on charges of third- and fourth-degree criminal sexual conduct, said Detective Sgt. Luis Rosado of the Sturgis Police Department. He was being held late Wednesday in the St. Joseph County Jail on a \$150,000 cash bond.

The latest charges against Ruger were issued after a teen girl made accusations against him to Sturgis investigators. Chuck Herman, St. Joseph County chief assistant prosecutor, said authorities allege Ruger had sex with the then-14-year-old while "in a position of authority."

Ruger spent seven years at Sturgis Church of Christ before resigning last month, church officials said. He signed a contract April 24 to become the minister at Oakland Drive Church of Christ in Portage but has yet to work from the pulpit. He has been placed on administrative leave in light of the charges against him, said Eugene Thomas, an elder with the Portage church.

Thomas said officials performed a background check that showed Ruger was "absolutely clean."

Ruger's attorney, James Champion, of Portage, said of the charges, "I'm confident that when all the testimony comes in, the lack of credibility regarding some of the witnesses will leave the jury demanding more from the state's case."

Ruger came to the attention of Sturgis investigators last Friday after a 13-year-old girl told officials at her school that he had "victimized" her while she was in Ruger's care in the 900 block of North Lakeview Street.

Rosado said police executed a search warrant Monday at Sturgis Church of Christ offices at 907 N. Lakeview St.

The police sergeant said Ruger and the 13-year-old's family were friends but that he did not know whether the family attended the church. He declined to say if the latest alleged victim and her family were members of the church.

Firefighter faces time for sex allegations

Thursday, May 04, 2006

By Barton Deiters
The Grand Rapids Press

CEDAR SPRINGS -- A paramedic, volunteer firefighter and foster parent is could face 15 years behind bars after being charged with three counts of criminal sexual conduct and three additional counts of allowing a minor to consume alcohol.

Matthew D. Kendall, 32, of Nelson Township, has worked for more than five years for the Cedar Springs Fire Department and for the past two as a paramedic with Montcalm County Advance Life Support Ambulance. He has been suspended from both positions pending the outcome of the case against him, which this week was bound over to Kent County Circuit Court.

His foster-home license also has been revoked, police say.

Authorities said the victim was not a foster child, but a minor living at Kendall's home under his guardianship while the minor's mother was receiving medical treatment.

Kendall is charged with criminal sexual conduct in the second degree -- a 15-year felony, two misdemeanor counts of fourth-degree criminal sexual conduct, and three misdemeanor charges for allowing a minor to consume alcohol.

Sheriff's officials arrested him March 27, and he remained free on a \$10,000 bond. Police were alerted to the alleged crimes by Child Protective Services.

During the investigation, Kendall cooperated with detectives, according to Lt. Roger Parent, spokesman for the sheriff's department.

"I was really floored when I heard about this," said David Felpausch, operations manager for the Montcalm County-run ambulance service. "In fact, he's been one of our better employees."

Felpausch said this is the first time his department has had to deal with a situation such as this, and they have been walking a fine line to balance the fact that Kendall has not been convicted of any crime, with the need to protect the public, which is the reason he has been off public duty for the past several weeks.

However, Montcalm County Administrator John Berch said now that Kendall has been bound over to Circuit Court, he will be placed on unpaid leave pending the outcome.

Cedar Springs Fire Chief Jerry Gross only would confirm that Kendall worked with the department and that he has been suspended.

Kendall could not be reached for comment.

Man guilty of videotaping girl

His teenage son found computer images, went to police

PUBLISHED: May 4, 2006

By Jameson Cook
Macomb Daily Staff Writer

A 47-year-old Warren man secretly videotaped his live-in girlfriend's daughter in various stages of undress and produced it into child pornography, a Macomb Circuit Court jury decided Wednesday.

Charles Quatrine Jr. could face at least four years in prison at his sentencing next month after being convicted of six counts of producing the pornography, one count of possessing it and one count of eavesdropping.

The case featured the defendant's son, Corey, who discovered the illicit recordings, testifying against his father. Charles Quatrine's defense was to blame his son.

"He deserves what he got," Corey Quatrine said outside the courtroom after the verdict. "It wasn't that hard to testify because I was telling the truth. What was hard for me to believe was that he could blame his own son. It was hard to sit there and hear her (defense attorney Gail Pamukov) say all those lies about me."

Assistant Macomb prosecutor William Cataldo said the nine-man, three-woman jury believed son over father, who was depicted as knowledgeable about computers and electronics.

"When they (jurors) left court Friday night (after Charles Quatrine testified), they knew that Charles Quatrine had lied on the stand about several aspects of the computer," Cataldo said.

Pamukov said afterward she likely will seek a mistrial based on what she called violation of her client's Fourth, Fifth and Sixth Amendments due to the investigation and prosecution's conduct.

"We're disappointed with the verdict, and Mr. Quatrine will appeal" if a

mistrial is not granted by circuit Judge Mary Chrzanowski, Pamukov said.

The case began Dec. 9, 2004, when Corey Quatrine discovered one file on his dad's computer depicting the girl in a towel in her bedroom. He downloaded dozens of other files and the next day went to police, who found 55 video clips and still photos showing the girl naked or partially dressed in her bedroom from ages 12 to 14.

A police search revealed 55 files video or still images of the girl and a tiny camera lens in a satellite TV box that was connected to Quatrine's computer in his bedroom.

Adult pornography also was found on the computer, but that fact could not be revealed to the jury following a great number of legal maneuvers and a decision by the Michigan Court of Appeals.

At his June 7 sentencing, Quatrine likely will face a minimum sentence of about four years in prison, Cataldo said, although the defense likely will argue for a lower minimum. Quatrine has two prior felony convictions.

Chrzanowski on Wednesday allowed Quatrine, a musician who has worked as an Elvis Presley impersonator, to remain free, confined to a tether, until his sentencing. He has served 14 months in the Macomb County Jail.

Pamukov had argued that Corey Quatrine could have videotaped the girl and set up his father because the two didn't get along.

But Cataldo retorted that the pair had a poor relationship for a long time before the discovery of the videos.

The case also featured arguments over and meticulous testimony about computer operations, networking and files.

Pamukov contended that police and prosecution failed to show how Quatrine committed the acts and didn't pursue all investigative avenues.

Cataldo acknowledged that some deficiencies occurred but countered that the prosecution didn't have to prove how the recordings were made.

Cataldo said the case demonstrates that police and prosecutors need to improve their knowledge and skills related to computers.

The county already has specially trained police investigators in the

Macomb Area Computer Enforcement, and the county Prosecutor's Office has a one-person computer crime unit.

He noted that criminal and common law fall short of adequately addressing some technical issues.

"The law is never one to keep up with technology; it usually lags far behind," he said.

Published May 4, 2006

[From the Lansing State Journal]

Auction raises \$379,400

Lansing State Journal

The fourth annual "Cherish the Children" Ultimate Fantasy Auction raised \$379,400 on Tuesday to help fund child abuse prevention efforts in Michigan.

The auction took place at the Breslin Center on Michigan State University's campus. All proceeds will benefit the Children's Trust Fund.

"Child abuse is a crime that occurs in hundreds of Michigan homes each day, and impacts the lives of thousands of Michigan's children each year," said Rich Bearup, executive director of the Children's Trust Fund, in a statement.

"Our 'Ultimate Fantasy Auction' is a positive and fun way for Michigan residents to raise money for the Children's Trust Fund and help stop the abuse and neglect of Michigan's children."

The auction included silent and live auctions featuring bid items that ranged from a California vineyard tour and stay at the Sonoma Mission Inn & Spa, to a trip to the set of the hit TV program LOST in Hawaii, to tickets to major sporting events, including Detroit Tigers, Lions and Pistons games, and much more.

The Children's Trust Fund of Michigan provides public education, training and technical assistance, and fund a network of local, community-based child abuse prevention programs and services across the state.

It is the only statewide nonprofit organization dedicated to the prevention of child abuse and neglect in Michigan. For more information, please contact the Children's Trust Fund at 517-373-4320.

Woman out \$1,650 in scam

Kelly Nankervis, Midland Daily News

05/03/2006

An 83-year-old Midland woman lost \$1,650 to a tree-trimming scam, and Midland Police are warning others so that they, too, don't fall victim.

According to police, the woman reported the scam at the end of April.

The incident began when a man came to the woman's home and offered her tree-trimming services. He told her his crew -- four other people -- already were working in her yard.

The man then told the woman the service cost \$1,650, and she wrote him a check for the amount.

The man returned on another day and told the woman she had a termite problem on her home's back deck and, once again, that his crew already was working on the problem.

The woman then offered to take back the first check and write one for \$5,000 to cover both the tree trimming and termite removal. The man tore up what later was determined to be a copy of the first check in front of the woman, and accepted a \$5,000 check.

The woman contacted police when she became worried that she had been scammed. Police contacted the woman's bank and found that the first check had been cashed, but the second one had not.

"We would like to remind people if someone comes and says they've started working and asks for payment, call us," Deputy Chief Bob Lane said.

This is the only report of crews beginning unsolicited work before asking for payment, Lane said, adding a call to the police could stop someone who's already scammed another person.

Suspect in rape claims blackout

Thursday, May 04, 2006

By John Tunison
The Grand Rapids Press

HOLLAND -- A 20-year-old man accused of raping an 83-year-old woman in her Holland home last week admitted to taking drugs and drinking a fifth of vodka the night of the assault.

The alleged attacker, Kevin Spencer, also was living for the last week with his mother in a home less than two blocks from where the victim lived, according to what he told a court bond screener.

"He does not remember anything all that night," the screener wrote in a report for Spencer's arraignment Wednesday on charges of sexual assault and home invasion.

Police late Tuesday afternoon arrested Spencer -- who previously was living with his father in LaPorte, Ind., and commuting to West Michigan for work -- after a tip from a caller.

"We received numerous tips since this happened," Holland police Capt. Matt Messer said. "One of them seemed to have a little more value than the others."

Investigators say the April 27 assault appears to be a random crime, with no connection between Spencer and the victim.

The rape shocked the community and left some seniors worried about their safety. The woman awoke about 12:50 a.m. to find a man in her bedroom. After he assaulted her, he fled the home and she called 911.

Police say the woman's door may not have been locked.

News of Spencer's arrest relieved the victim's family. Her son said she is resolute about putting the assault behind her and living a normal life.

"She just has a really positive attitude and said she is not going to let this disrupt her lifestyle," the son said.

She kept busy the past few days visiting her 13 grandchildren, her son said. She works at Resthaven Patrons and is active in her church.

"(The arrest) is a great relief for our family and for the community," the son said.

Spencer, held on a \$500,000 bond, is charged with three counts of first-degree criminal sexual conduct and home invasion.

In court Wednesday, he told a judge he "really needs help," but said little else.

Spencer told the bond screener he most recently worked at Reliable Sports, but worked previously at H&M Demolition in Holland for a year. He lived in LaPorte, but his father drove him to work each day and his mother or girlfriend drove him home, he told the screener.

In the bond report, Spencer admitted taking eight Ecstasy pills and drinking a fifth of vodka the night of the assault. Police could not confirm the claim.

He also told the screener he is bipolar and has not seen a doctor in recent years.

Spencer listed a residence near Washington Avenue and 32nd Street as his address in court records. Police believe he was at that residence and "other places" before the rape, Messer said.

During Wednesday's arraignment, Judge Susan Jonas listed Allegan County convictions of domestic violence and aggravated assault for Spencer. He also was charged last year with being a fugitive on an Indiana charge of dealing drugs near a school, court records show.

Spencer's father, Gary Spencer, said he never expected such a charge against his son.

"He's been in some trouble, but nothing like this," he said. "I'm just kind of still in shock by all of this."

GIVING AND LIVING: He's 'cool' and there for kids

By Jack Kresnak Detroit Free Press

May 4, 2006

Name:	Harold Turner, known to the kids at Carr Elementary School in Lincoln Park as Grandpa.
Personal:	He's 71, lives in Lincoln Park and is retired. He was married twice and is the father of nine and grandfather of 14.
What he used to do:	Raised in River Rouge, Turner said he never missed a day of school after the fourth grade. He played coronet in the River Rouge High School band and graduated in 1951. He worked for Service Envelope Manufacturing Co. in Detroit for 36 years, until the company went out of business in 1991. He then worked six years for the Fields Funeral Home in Detroit, earning \$500 a week, doing whatever needed to be done, seven days a week.
What he does now:	A foster grandparent volunteer for Catholic Social Services of Wayne County, he was assigned to tutor special-needs children at Carr in 1998. From 8:30 a.m. to 12:30 p.m. weekdays, he works with students who are behind in reading, math and science. Until 2004, he tutored visually impaired students. Since then, he has worked with learning-disabled and autistic kids. He listens to kids read and helps them complete assignments.
What the teacher says:	"These kids are very distractible, off-focused easily, and he does a great job with them. He tells them what to do, how to do it and why you do it," Bonnie Jackson said.
What the kids say:	"He's awesome," said Ron Lefebvre, 9. "He's cool sometimes; actually, he's always cool," said Roy Salaz, 10. "He tells us what we're doing," said Zenia Lewis, 10. "He's really smart. He helps me a lot. He knows a lot of stuff," said Ray Lopez, 9.
Why he does it:	"I don't know," Turner said. "...The kids here are slow learners and they need help."
Tell us about others	Got a story about volunteering or other acts of kindness you'd like to share with Free Press readers through the Giving and Living column? Call reporter Jack Kresnak at 313-223-4544 anytime or e-mail him at

jkresnak@freepress.com
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How you can help

Catholic Social Services of Wayne County has 223 foster grandparents and can always use a few more to help at schools, domestic-violence shelters and treatment programs for emotionally impaired or developmentally disabled children. Anyone interested can call 313-883-2361 anytime.

CSS-Wayne County's fund-raising banquet is May 18 at the Max M. Fisher Music Center in Detroit. Tickets are \$100 and available by calling 313-833-2339 anytime.

Kids join fight against hunger

Thursday, May 04, 2006

By Morgan Jarema
The Grand Rapids Press

LOWELL -- When Colleen Lally gets hungry, "I eat," she said.

But the fourth-grader at St. Patrick's School in Parnell knows other kids sometimes find the cupboards bare at home.

So she and other students at the school are helping.

Students in kindergarten through eighth grade collected 1,800 cans of food and delivered them to Flat River Outreach Ministries in downtown Lowell on Friday.

"This time of year, the shelves are mostly emptying out," pantry director Jody Haybarker said as students formed a line to get the items from a school bus to the building."

The food pantry and thrift store, at 519 E. Main St., is a collaboration of almost 20 area churches.

Money from the sale of donated items helps stock the food pantry and a monthly "food mobile" and provides emergency help to pay gas bills, prescriptions and even rent for needy families.

The students' donations, as well as those collected in the community, are being matched at a dollar per can by the Feinstein Foundation. The Rhode Island-based hunger-relief organization, which focuses on teaching children the importance of community service, has matched donations to raise an estimated \$480 million for U.S. agencies the past eight years.

Lowell High School students also participated in the effort.

Katrina scam puts man in jail

Thursday, May 04, 2006

By Steven Hepker
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Mark J. Miner watched the flooding after Hurricane Katrina like most Americans did, from his living room.

"For everyone else, our hearts go out to those people, but you see it as an opportunity to steal," Jackson County Circuit Judge Chad Schmucker said at Miner's sentencing Wednesday.

Miner bilked the American Red Cross out of \$1,565 in emergency aid, plus \$2,500 from the federal government. The private agency pushed prosecution, while the Federal Emergency Management Agency let it ride.

The Jackson man pleaded guilty to one count of obtaining money by false pretense.

Schmucker sentenced him to 90 days in jail, with credit for 65 days already served. He also must pay back what he stole from Red Cross in Jackson, and serve 90 more days on the sheriff's work program.

Miner faced up to 7 1/3 years in prison as a habitual offender, but the plea agreement stipulated jail. His wife, Jennifer, also is charged with obtaining money by false pretense and is expected to make a similar plea today. Investigators allege the couple moved from Mississippi to Jackson in June, after their house trailer was repossessed. Hurricane Katrina struck in August. The couple applied for and received aid for emergency living expenses.

"I found this particularly disturbing," Assistant Prosecutor Nicholas Mehalco Jr. said. "Aid should go to people truly in need, not to con men like Mr. Miner."

Miner said he was sorry, to which Schmucker said his actions had better prove that in the coming months or he will face more time behind bars.

At trial's start, jury sees scene of death

May 4, 2006

BY FRANK WITSIL
FREE PRESS STAFF WRITER

BENZIE COUNTY -- Next to a crystal-clear lake, jurors got a glimpse Wednesday of the place where prosecutors say Mark Unger of Huntington Woods killed his wife.

Led by Benzie County Circuit Judge James Batzer, the jurors -- seven men and eight women, including three alternates -- walked the steps that state prosecutors and police say Unger, now 45, took between 8 and 9 a.m. Oct. 25, 2003, when he went looking for Florence Unger, 37, as well as the steps he took after her body was found in Lower Herring Lake, a few feet away from a 12-foot high deck.

Unger -- who is charged with first-degree murder -- was also at the scene at the Watervale resort, along with attorneys for both sides and relatives of the Ungers. The jurors quietly walked through the cottage where the couple stayed. There they assessed where things were to serve as reference points as they listen to testimony during the trial, which is expected to last at least a month.

Media, including network news outlets, were first denied access to the private property until the Free Press, through its attorney Herschel Fink, challenged the court's decision early Wednesday.

Unger could face a maximum sentence of mandatory life imprisonment if convicted. Earlier Wednesday, at the Benzie County Courthouse in Beulah, the jury heard opening statements. Assistant Attorney General Donna Pendergast said her death was a brutal slaying at the hands of her husband. Unger's attorney, Robert Harrison, said it was a tragic accident.

Pendergast focused mostly on the couple's troubled marriage. Harrison focused mostly on the events after the death and the police investigation, which he called flawed.

Pendergast called the case a story of divorce, deception and a brutal premeditated killing, which Mark Unger later tried to cover up. She said there was a struggle and that Florence Unger, who had filed for divorce, fell from the deck, hit her head on concrete below and then Mark Unger drowned her.

In contrast, Harrison said the case is about a "modern-day family tragedy that occurred totally and completely because of an accident."

Harrison attacked the prosecution's case, calling it weak with no fingerprints, no confession and no eyewitnesses. Harrison said Florence Unger's death was terrible, but the cause was a decayed, rotten and unstable deck.

The trial resumes today.

Unger jurors visit site of death

Murder suspect's wife last seen alive at resort

Mike MArtindale / The Detroit News

May 4, 2006

BEULAH -- Jurors in the Mark Unger murder trial visited a picturesque lakeside resort Wednesday where investigators said Unger killed his wife 2 1/2 years ago and tried to make it look like an accident.

Unger, 45, of Huntington Woods is on trial for first-degree murder in the Oct. 25, 2003, death of his wife, Florence, 37, whose body was found floating in the shallows of Lower Herring Lake at the Inn of Watervale.

The resort is a collection of pastel-colored clapboard cottages developed in the late 1800s. For decades, it has been a summertime haven for visitors.

Led by Benzie County Circuit Judge James M. Betzer, Michigan Assistant Attorney General Donna Pendergast and defense attorney Robert S. Harrison, a jury of 15 people, including alternates, was bused to the resort, located between the lake and the Lake Michigan shoreline 10 miles south of Frankfurt.

"Flimsy circumstantial evidence ...," Harrison told the jury, of the prosecution's case against Unger.

"The evidence in this case will be so unconvincing that you will find it (the case) not proven, and therefore not guilty."

Jurors heard Harrison portray Unger as a tragic victim of circumstance. Harrison said Pendergast, police and others had labored to make his client's behavior appear consistent with that of a killer.

The trial continued Wednesday, with Pendergast in her opening statement telling the jury how Unger "obliterated a young woman's life." She showed jurors family photographs of Florence Unger interspersed with morgue and crime scene pictures of her body.

She described Florence Unger as someone whose marriage had been racked by her husband's addictions and lack of ambition; someone who was prepared to move on with her life but made the fatal decision to spend a weekend at the resort with her husband.

"Pendergast told the jury. "There's a saying that 'Dead men tell no tales,' "But in this courtroom, the dead will speak to you through the evidence."

Harrison described the death as "a modern-day family tragedy," caused by a fall through a rotting railing that was an "accident waiting to happen."

At the time of Florence Unger's death, Mark Unger told police he and his wife had spent part of the evening talking on a boathouse deck and that he left her to check on their two sons at a nearby cottage, known as the Mary Ellen.

Unger said when he returned to the boathouse, his wife was gone, and he retired for the night. The following morning, he called operators of the resort to report his wife was missing.

Her body was found that morning floating face down in less than a foot of water along the boathouse breakwall.

Pendergast told the jury she would call four doctors to testify how Florence Unger would have been unable to move herself into the water after falling 12 feet and striking her head on a concrete apron around the boathouse. Pendergast said Unger placed his wife in the lake to make her death look like an accident.

Harrison said a "botched investigation" by police now has Unger charged with a crime that could put him behind bars for the rest of his life.

Harrison said routine tests on the victim to determine time of death and trace evidence collection at the death scene were never done. "Despite being found at 8 in the morning, her body lay floating in the water there until 6 o'clock that night," Harrison said.

Both sides agreed that the Ungers were in the midst of a contentious divorce when they went north for a weekend at the Inn of Watervale. But they differed on just about every other point.

Pendergast noted how after being told his wife was found in the lake, a screaming Unger ran directly to where her body was, more than 200 feet away, despite not having been told where she had been found. Harrison reminded the jurors this was at the boathouse, the last place Unger had seen the woman the night before.

When Pendergast pointed out white paint, like that on the railing, was found imbedded into the sole of Unger's shoes, Harrison responded that the same type of white paint was used throughout the resort.

Pendergast said Unger's addiction to gambling, alcohol and drugs put an emotional and financial strain on the couple's 12-year marriage.

Harrison countered that Unger, once a successful mortgage broker, had a back injury that resulted in an addiction to pain medicine "like Rush Limbaugh," but he had been "clean and sober" after completing a five-month stay at a rehabilitation program in Grand Rapids.

After Pendergast said Florence Unger had been having an extramarital affair with a family friend for nearly two years before her death, Harrison said Unger was "so oblivious" to his wife's lover that he had invited the man to join them at the resort that weekend.

Testimony in the trial, expected to take three weeks, continues today.

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[From the Lansing State Journal]

Murder trial jurors go to resort where woman died

Man is accused of drowning wife at Lower Herring Lake

By John Flesher

Associated Press

BEULAH - A sober-faced Mark Unger returned to the scene of his wife's death Wednesday, accompanied by the jurors who will decide whether Florence Unger fell victim to murder or a tragic accident.

After attorneys delivered opening arguments in the Benzie County Circuit Court trial, they joined the defendant, judge and jurors on a tour of the Watervale resort, where the 37-year-old woman died Oct. 24, 2003.

Mark Unger, 45, is charged with first-degree murder, accused of pushing his wife from a rooftop deck to a concrete pad 12 feet below, then dragging her unconscious body into the shallow edge of Lower Herring Lake, where she drowned.

The Huntington Woods resident is pleading not guilty. His attorneys insist the death was accidental.

"We will establish for you that there is no satisfactory, no reasonable, no appropriate level of proof that anything illegal occurred in this case," defense lawyer Robert Harrison told jurors.

But chief prosecutor Donna Pendergast said abundant circumstantial evidence would show that an angry and erratic Unger, refusing to accept his wife's request for a divorce, killed her - an act

reflecting the nature of their marriage.

"It was all about Mark," Pendergast said. "What Mark wanted to do, how Mark reacted when he didn't get his way, and paramount above all, Mark's need to save himself at any cost ... even to the point of murder."

The 12 jurors and three alternates were bused to the Watervale resort, about 50 miles southwest of Traverse City.

May 3, 2006

D.H.S. PLAN TO SAVE \$12 MILLION, GET MORE FROM WELFARE TO WORK

In the face of ensuing federal penalties for not meeting welfare-to-work requirements, the Department of Human Services on Wednesday released a plan that it says will not only bring the state into compliance with federal work requirements but will save \$12 million in 2006-07.

The department's proposal came after legislative Republicans announced their own initiative. Some of those legislators said the DHS plans won't work fast enough to avoid federal sanctions if at least half of welfare recipients aren't working by October 1, and estimate their own plan will save about \$67 million in next fiscal year's budget.

Rep. Jerry Kooiman (R-Grand Rapids) said he applauds DHS' announcement that it will expand its JET (Jobs, Education and Training) program to serve 49 percent of the targeted welfare population, up from the 15 percent it is currently helping.

But, he said: "They're proposing a JET expansion. We're proposing an express jet. If we're really going to be serious about meeting federal targets, 49 percent won't get us there."

In January, the federal government changed the year it used as a benchmark for state caseload reductions from 1995 to 2005, which essentially eliminated a credit states received on their funding. Michigan deleted thousands of welfare cases in the mid-1990s after reforms were implemented under former Governor John Engler, which boosted the state's credit, but has since been lingering in the 78,000-case range.

Michigan currently has about 34 percent of welfare recipients working.

Mr. Kooiman said 100 percent of the people on welfare assistance need intensive service, getting help with basic skill training and referrals to disability rehabilitation or Supplemental Security Income.

The DHS plan also would provide advocacy and support to those who apply for disability services and would provide supportive services to clients who face serious barriers to work, such as illiteracy or lack of basic math skills.

The JET program, DHS Director Marianne Udow has said, is the best way to help welfare recipients become permanently attached to the workforce.

"The program fundamentally changes the way we move families off welfare and toward self-sufficiency," Ms. Udow said in a prepared statement. "Instead of telling those on welfare to 'get a job, any job,' the program supports them in developing job skills and moving permanently off of the welfare rolls."

For those who fail to work, the Republican plan suggests cutting off assistance for up to a year as a sanction and a lifetime cash assistance limit of 48 months.

Mr. Kooiman said legislators plan to introduce legislation that would include their suggested changes in the coming weeks.

DHS Announces Welfare Expansion

MIRS, Wednesday, May 3, 2006

Expanding job programs that help get Welfare recipients back on the job is a feasible way to get people off welfare and save taxpayers \$12 million, according to a plan announced today by the Department of Human Services (DHS).

The DHS plans to expand the Jobs, Education and Training (JET) pilots. These programs help welfare recipients get jobs by offering training, education, supportive services and advocacy.

The JET program pilot is currently in Kent, Oakland, Sanilac and Wayne counties. The expansion is expected to serve 49 percent of the welfare population instead of 15 percent of the welfare population.

Expanding the program and getting more people out of the welfare system would save the state about \$12 million in welfare costs, according to a DHS press release.

"The Jobs, Education and Training approach fundamentally changes the way we move families off welfare and toward self-sufficiency," said DHS Director Marianne **UDOW**. "Instead of telling those on welfare to 'get a job, any job,' the program supports them in developing job skills and moving permanently off of the welfare rolls."

State Workers Rally at Capitol

WLNS News

May 3, 2006 04:37 PM EDT

State workers say they're over worked and understaffed. Some state employees cancelled their lunch plans for pickets all across Michigan. State employees are walking in circles to protest because they say they're going in circles on the job.

Their union representative says, because of a lack of resources, it's a struggle for them to get any work done.

Alan Kilar, Financial Secretary, Local UAW 6000: "Their concerns are numerous, not only the workload, some of them are working off the clock on the weekend without getting paid, the supplies are not there. I know our local had to give pens to one of the DOC offices because they couldn't requisition pens."

The protestors are state employees from departments like Corrections, Child Protective Services, the Secretary of State and more, and they say services like protecting children are suffering.

Alan Kilar: "Prevention services have basically been cut out, I think the Ricky Holland case is a prime example of what can happen when we don't have prevention cases."

Workers say cutbacks and hiring freezes simply put the burden of a big job on less people.

Travis Erby, representative, Local UAW 6000: "It's almost like an assembly line, you know, you cut back workers, but then you speed up the assembly line, that's what's happening."

Local 6000 members are asking state leaders for help and Governor Jennifer Granholm says she's listening.

Jennifer Granholm, Governor of Michigan: "We have requested the legislature to increase the number of child protective services workers, as well as Department of Correction workers to ensure that our communities are safe."

And if more state workers are hired, these employees say they can get back to their jobs, serving the public without stress.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING

MARIANNE UDOW
DIRECTOR

News Release

**Contact: Stepheni Schlinker or
Maureen Sorbet (517) 373-7394**

Michigan Department of Human Services Summarily Suspends the Family Day Care Home Certificate of Registration, #DF330273662, of Tamara Ivy

May 4, 2006

The Michigan Department of Human Services (DHS), Office of Children and Adult Licensing (OCAL) issued an order of summary suspension and notice of intent to revoke the certificate of registration of Ingham County family day care home provider Tamara Ivy, 5824 Haag Road, Lansing, Michigan. This action resulted from a recent investigation of a complaint of the child day care family home.

The May 1, 2006 complaint investigation found violations of the Child Care Organizations Act and both the caregiver suitability and caregiver responsibilities administrative rules. OCAL took emergency action to protect the health, welfare, and safety of children.

Effective 6:00 p.m., May 4, 2006, the Summary Suspension Order prohibits Tamara Ivy from operating a family day care home at 5824 Haag Road, Lansing, Michigan or at any other address or location. Accordingly, she may not accept children for care after that date and time. The order also requires Ms. Ivy to inform all of the parents of children in her care that her certificate of registration has been suspended and that she can no longer provide day care.

Ms. Ivy has held a certificate of registration to operate a family day care home since February 28, 2005. The certificate of registration was for six children.

Michigan law defines a day care family home "as a private home in which 1 but fewer than 7 minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption."

For more information, consult DHS Web site at www.michigan.gov/dhs.

This Week APHSA in Washington

For the week ending 4/28/2006, Vol. XXVII, No. 10

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House, Senate Urge HHS to Extend Part D Enrollment Deadline

On April 20, a bipartisan group of 48 senators sent a letter to Majority Leader Bill Frist (R-Tenn.) urging him to bring to a vote one of the pending bills to extend the enrollment deadline for the Medicare Part D prescription drug program beyond the current deadline of May 15, 2006. The letter, written by Sens. Ben Nelson (D-Fla.) and Olympia Snowe (R-Maine), said extending the deadline would ensure that beneficiaries had enough time to fully understand the program and the plan options, a process that “has proven to be difficult and time consuming.” Also last week, 187 House members signed a discharge petition regarding a bill (H.R. 3861) introduced by Rep. Pete Stark (R-Calif.) to extend the Part D enrollment deadline to December 31, 2006. A Centers for Medicare and Medicaid Services (CMS) spokesperson indicated that the administration does not see a need to extend the deadline because “enrollment is surpassing [the administration’s] goals, satisfaction is high, and [there is] no reason to extend a deadline that is working.

Senate Introduces Bill to Revise LIHEAP Contingency Fund Procedures

On April 24, Sen. Maria Cantwell (D-Wash.) introduced a bill, S. 2628, to provide for the release of Low-Income Home Energy Assistance Program (LIHEAP) contingency funds. The bill, the LIHEAP Emergency Reform Act, would create a procedure for governors to apply to the U.S. Department of Health and Human Services (HHS) for certification of an emergency and an allotment of LIHEAP contingency funds. The legislation would require the secretary of HHS, in consultation with the secretary of energy and states, to adopt regulations for the consideration of such applications. The full text of S. 2628 is available at <http://thomas.loc.gov/>.

Bill Would Offer Expansion Loans to Child Care Centers

On April 25, Sen. John Kerry (D-Mass.) introduced S. 2646, the Child Care Lending Pilot Act of 2006. The bill would provide long-term, fixed, low-interest loans to non-profit child care centers to finance repairs or expansions. The loans would be offered as a three-year pilot under the Small Business Administration’s 504 loan program. Current law only allows for-profit small businesses to access these

loans. Only small non-profit child care centers (defined as having a net worth under \$7 million) licensed by the state would be eligible. The full text of S. 2646 is available at <http://thomas.loc.gov/>.

House Holds Hearing on Ryan White CARE Act Reauthorization

On April 27, the House Energy and Commerce Health Subcommittee convened a hearing to discuss the reauthorization of the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act and how to improve the program to ensure access to care. Rep. Nathan Deal (R-Ga.), chairman of the subcommittee, said he supports the administration's key principles for reauthorization of the Ryan White CARE Act, which include: serve the neediest first; focus on lifesaving and life extending services; increase prevention efforts; increase accountability; and increase flexibility. Title I of the act provides emergency assistance to Eligible Metropolitan Areas that are more severely affected by the HIV/AIDS epidemic, and Title II provides grants to states for emerging communities and funds the AIDS Drug Assistance Program, which provides medications for the treatment of HIV disease. Rep. Sherrod Brown (D-Ohio) suggested that there be a future meeting for providers, patient advocates, and individuals affected by HIV/AIDS to share their thoughts with the subcommittee. Chairman Deal indicated that the subcommittee will host a future roundtable with the providers that treat these patients and the individuals affected by this disease. The full committee chair, Rep. Joe Barton (R-Texas), said the committee will reauthorize the Ryan White CARE Act. However, he noted that it will not be an automatic process and that the committee will take into account the administration's key principles for reauthorization; recommendations made by the Government Accountability Office (GAO) report, Ryan White CARE Act: Changes Needed to Improve the Distribution of Funding; a review of the funding formulas; and the use of funds for non-emergency care. Rep. Henry Waxman (D-Calif.) asked whether several witnesses believed the administration would support or allow Medicaid to fund the HIV/AIDS population if the Ryan White CARE Act was not reauthorized. Waxman also asked if Medicare would absorb the catastrophic costs associated with the HIV/AIDS population if the act was not reauthorized. The GAO report (GAO-06-703T) can be found on line at <http://www.gao.gov/cgi-bin/getrpt?GAO-06-703T>. Witness testimony will soon be on the subcommittee's web site at <http://energycommerce.house.gov/108/Hearings/04272006hearing1847/hearing.htm>.

Hearing Reviews Effect of Methamphetamine Epidemic on Child Welfare

On April 25, the Senate Finance Committee held a hearing on "The Social and Economic Effects of the Methamphetamine Epidemic on America's Child Welfare System." Committee Chairman Charles Grassley (R-Iowa), Ranking Member Max Baucus (D-Mont.), and Sens. Olympia Snowe (R-Maine), Gordon Smith (R-Ore.), and Ron Wyden (D-Ore.) were present. Panelists included families in recovery from methamphetamine addiction as well as Kevin Frank, a regional administrator from the state of Montana; Nancy Young, director of the National Center on Substance Abuse and Child Welfare; and Frederick Aigner, president and chief executive officer of Lutheran Social Services of Illinois. Grassley noted that this was the first hearing the full Finance Committee has held on an issue relating to child welfare in nearly 10 years. He added that the child welfare financing structure is antiquated and inflexible and prevents states from responding to a variety of challenges. Copies of the testimony of each panelist and a web cast of the hearing are available at <http://finance.senate.gov/sitepages/hearings.htm>.

Briefing Held on Subsidized Guardianship

On April 25, Generations United held a briefing in the U.S. Capitol and released a report, All Children Deserve a Permanent Home: Subsidized Guardianship as a Common Sense Solution for Children in Long-Term Relative Foster Care. Sen. Hillary Clinton (D-N.Y.) attended the briefing and provided remarks on the importance of kinship care. She asked for support for the Kinship Caregiver Support Act (S. 985), which she introduced with co-sponsor Sen. Olympia Snowe in May 2005. The panel of presenters consisted of three relative caregivers, a representative of the Pew Commission on Children in Foster Care, and a member of the White House Conference on Aging Policy Committee. The report

is available at http://ipath.gu.org/documents/A0//All_Children_Deserve_A_Permanent_Home.pdf.

CMS Begins Redistribution of SCHIP Funds

On April 21, CMS announced that 12 states and five territories have begun receiving additional funding for their State Children's Health Insurance Program (SCHIP). The \$173 million in funding comes from fiscal year 2003 funds unused by other states as well as an additional \$283 million included in the Deficit Reduction Act of 2005. States have three years to spend their SCHIP allotment. At the end of the three years, unspent funds are redistributed to states that have exhausted their allotments. States receiving the funds include Illinois, New Jersey, and Mississippi. The announcement was published in the April 21 Federal Register (71 FR 20697-20707) and is available at <http://a257.g.akamaitech.net/7/257/2422/01jan20061800/edocket.access.gpo.gov/2006/06-3833.htm>.

Massachusetts Enacts Health Care Reform Plan

On April 12, Massachusetts Gov. Mitt Romney signed into law legislation that will make health insurance available to every Massachusetts resident within the next three years. The Massachusetts Health Care Reform Plan, which was approved by a bipartisan 154-2 margin in the state House and a 37-0 vote in the state Senate, requires every individual in the state to purchase health insurance by July 1, 2007. The law creates a sliding scale for insurance coverage, and will offer subsidized policies for individuals earning less than the federal poverty level and for those earning up to three times the poverty level. Children in those families will be eligible for coverage through Medicaid. Individuals who can afford private insurance and do not purchase it will be penalized on their state income taxes. The plan is expected to cover 515,000 uninsured people within three years, or 95 percent of the state's uninsured population. On April 25, the Massachusetts House voted to override a number of vetoes made to the legislation by Romney. He vetoed a number of provisions in the bill, including ones that would extend dental and vision benefits to adult Medicaid beneficiaries; give beneficiaries who meet certain wellness goals discounts on premiums and co-payments; and allow "special status aliens," including documented immigrants who have been in the United States less than five years or those who do not have permanent status, to receive Medicaid benefits regardless of the income of their sponsor. The conference committee's final bill is available at http://www.hcfama.org/_uploads/documents/live/Health%20Reform%20Conference%20Committee%20Bill%20Final.pdf.

Georgia Governor Signs Citizenship Verification Law

On April 17, Georgia Gov. Sonny Perdue (R) signed into law the Georgia Security and Immigration Compliance Act, SB 529. The measure requires citizenship verification for individuals using Georgia's public services, including Medicaid, to ensure that they are legally eligible to receive those services. It also requires citizenship verification of state employees and employers with state contracts and subcontracts. The new law requires that businesses compensating undocumented employees more than \$600 a year may not claim wages as an allowable business expense, and requires a 6 percent state withholding tax for all nonresident aliens. The law requires verification of the legal status of anyone charged with a felony or DUI. The majority of the law's provisions go into effect on July 1, 2007, including citizenship verification for programs that include Medicaid. The law requires that all individuals receiving state benefits sign one of two affidavits, either stating the individual is a U.S. citizen or a legal alien. Prenatal and emergency care are exempt from the law. Perdue issued an executive order effective January 1, 2006, to require people seeking some Medicaid benefits to issue some documentation supporting their legal residency. More information is available at http://www.legis.state.ga.us/legis/2005_06/pdf/sb529.pdf.

GAO Surveys State Actions on Improper Payments

On April 14, GAO issued a report entitled Improper Payments: Federal and State Coordination Needed to Report National Improper Payment Estimates on Federal Programs. GAO said it wanted to

determine “(1) what actions are being taken by states to assist federal agencies in estimating improper payments; (2) what techniques related to detecting, preventing, or reducing improper payments have states employed to ensure the proper administration of federal awards; and (3) what assistance can be provided by the Office of Management and the Budget (OMB) that state program administrators would find helpful in supporting the respective federal agencies with the implementation” of the Improper Payments Information Act of 2002 (IPIA). GAO examined improper payment detection, prevention, and reduction efforts in 25 state-administered federal programs. Of these 25 programs, only two (the Food Stamp Program and Unemployment Insurance) require all states to estimate improper payments. The report found that states use a variety of techniques to detect and reduce improper payments, including computer-related techniques, statewide risk assessments, and recovery auditing. GAO noted that few state-administered federal programs have incentives or penalties for states related to improper payments. Of the 227 state program administrators surveyed for the report, 100 identified federal resources or guidance that would be helpful in assisting federal agencies in meeting the improper payment reporting requirements in IPIA. These included new funding for training and supporting additional staff; general and program-specific guidance on estimating improper payments; sharing of state best practices; procedures and instruments for assessing program risk of improper payments; and consideration of state input prior to implementation of any reporting requirements. GAO made four recommendations to OMB to better assist federal agencies’ implementation of IPIA requirements for state-administered federal programs, including that OMB should develop criteria addressing the nature and extent of state data and documentation required to calculate a national improper payment rate and that OMB should require federal agencies to provide states guidance on conducting risk assessments and estimating improper payments. The report is available at <http://www.gao.gov/cgi-bin/getrpt?GAO-06-347>.